

Appendix D

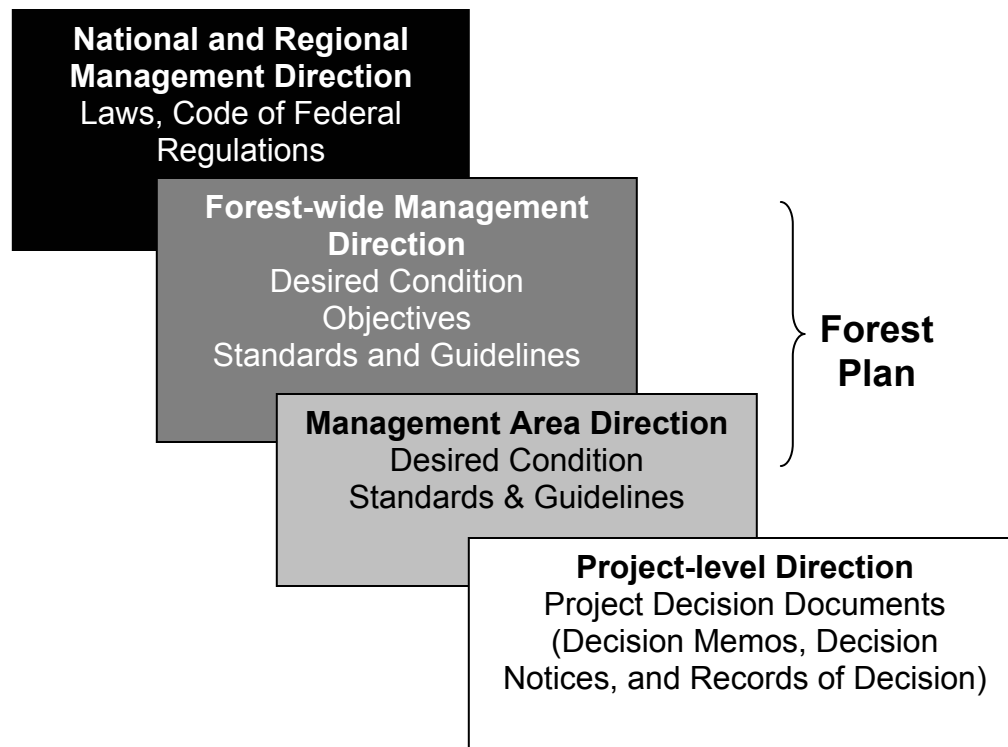
RELEVANT FEDERAL STATUTES, REGULATIONS, POLICY, AND AGREEMENTS

Management direction in the Forest Service Directive System, including the Forest Service Manual (FSM) and the Forest Service Handbook (FSH), is part of the forest plan management direction and is not repeated in the Forest Plan. Management direction also includes applicable laws, regulations, and policies, although they may not be restated in this Forest Plan.

Direction for managing NFS land comes from a variety of levels. National and regional direction includes laws, executive orders, regulations, and Forest Service policy. Figure D-1 illustrates this hierarchy of management direction beginning with national and regional direction at the highest level and ending with site-specific, project-level direction when the Forest Plan is implemented.

Figure D.1

HIERARCHY OF MANAGEMENT DIRECTION FOR NATIONAL FORESTS



FEDERAL STATUTES

The Hoosier National Forest will follow all of the laws listed below to the extent that they pertain to the USDA Forest Service.

Alaska National Interest Lands Conservation Act of December 2, 1980
American Indian Religious Freedom Act of August 11, 1978
American with Disabilities of 1990
Anderson-Mansfield Reforestation and Revegetation Act of October 11, 1949
Antiquities Act of June 8, 1906
Archaeological Resources Protection Act of October 31, 1979, as amended 1988
Architectural Barriers Act of 1968

Bankhead-Jones Farm Tenant Act of July 22, 1937

Clarke McNary Act of June 7 1924
Clean Air Act of July 14, 1955
Clean Air Act of August 7, 1977; Amendments of 1977 and 1990
Clean Water Acts (1948-87)
Clean Water Amendments (to "Federal Water Pollution Control Act Amendments of 1972")
Color of Title Act of December 22, 1928
Common Varieties of Mineral Materials Act of July 31, 1947
Cooperative Forestry Assistance Act of July 1, 1978

Department of Agriculture Organic Act of August 3, 1956
Disaster Relief Act of May 22, 1974

Eastern Wilderness Act of January 3, 1975
Economy of June 30, 1932
Emergency Flood Prevention (Agricultural Credit Act) Act of August 4, 1978
Endangered Species Act of December 28, 1973
Energy Policy Act of August 8, 2005
Energy Security Act of June 30, 1980

Federal Advisory Committee Act of October 6, 1972
Federal Cave Resources Protection Act of November 18, 1988
Federal Insecticide, Rodenticide, and Fungicide Act of October 21, 1972
Federal Land Exchange Facilitation Act of August 20, 1988
Federal Land Policy and Management Act of October 21, 1976
Federal Noxious Weed Act of January 3, 1975
Federal Power Act of June 10, 1920
Federal Records Act of September 5, 1950
Federal-State Cooperation for Soil Conservation Act of December 22, 1944
Federal Water Pollution Control Act of July 9, 1956, as amended (Water Quality Act of 1965, Clean Water Restoration Act of 1966)
Federal Water Project Recreation Act of July 9, 1965
Fish and Wildlife Conservation Act of September 15, 1960
Fish and Wildlife Coordination Act of March 10, 1934
Forest Highways Act of August 27, 1958

Forest and Rangeland Renewable Resources Planning Act of August 17, 1974
Freedom of Information Act of November 21, 1974

Granger-Thye Act of April 24, 1950

Historic and Archaeological Data Preservation Act of May 24, 1974
Historic Sites Act of August 21, 1935

Knutson-Vandenberg Act of June 9, 1930

Land Acquisition Act of March 3, 1925
Land Acquisition-Declaration of Taking Act of February 26, 1931
Land Acquisition-Title Adjustment Act of July 8, 1943
Land and Water Conservation Fund Act of September 3, 1964
Law Enforcement Authority Act of March 3, 1905

Mineral Leasing Act of February 25, 1920, as amended
Mineral Leasing Act for Acquired Lands Act of August 11, 1955
Mineral Resources on Weeks Law Lands Act of March 4, 1917
Multiple-Use Sustained-Yield Act of June 12, 1960

National Environmental Policy Act of January 1, 1970
National Forest Management Act of October 22, 1976
National Forest Roads and Trails Act of October 13, 1964
National Historic Preservation Act of October 15, 1966, as amended
National Trails System Act of October 2, 1968
Native American Graves Protection and Repatriation Act of January 23, 1990

Occupancy Permits Act of March 4, 1915
Organic Administration Act of June 4, 1897

Pipelines Act of February 25, 1920
Public Land Surveys Act of March 3, 1899

Real Property Quiet Title Actions Act of October 25, 1992
Rehabilitation Act of 1973, as amended
Renewable Resources Improvement Act of June 30, 1978
Research Grants Act of September 6, 1958
Right of Eminent Domain Act of August 1, 1888
Rural Development Act of August 30, 1972

Safe Drinking Water Act of November 16, 1977 and Amendments
Secure Rural Schools and Community Self-Development Act of 2000
Sikes Act of October 18, 1974
Sisk Act of December 4, 1967
Small Tracts Act of January 22, 1983
Soil and Water Resources Conservation Act of November 18, 1977
Solid Waste Disposal (Resource Conservation & Recovery Act) Act of October 21, 1976
Supplemental National Forest Reforestation Fund Act of September 18, 1972
Surface Mining Control and Reclamation Act of August 3, 1977

Timber Export Act of March 4, 1917
Timber Exportation Act of April 12, 1926
Title Adjustment Act of April 28, 1930
Toxic Substances Control Act of October 11, 1976
Transfer Act of February 1, 1905

Uniform Federal Accessibility Standards
Uniform Relocation Assistance and Land Acquisition Policies Act of January 2, 1971
U.S. Criminal Code (Title 18 USC Chapter 91- Public Lands) Act of June 25, 1948

Volunteers in the National Forests Act of May 18, 1972

Water Quality Improvement Act of April 3, 1965
Water Resources Planning Act of July 22, 1965
Watershed Protection and Flood Prevention Act of August 4, 1954
Weeks Act Status for Certain Lands Act of September 2, 1958
Weeks Act of March 1, 1911
Wild and Scenic Rivers Act of October 2, 1968
Wilderness Act of September 3, 1964
Wood Residue Utilization Act of December 19, 1980

Youth Conservation Corps Act of August 13, 1970

Regulations

The Hoosier National Forest will also abide by the regulations listed below as they pertain to the U.S. Forest Service.

36 CFR 60 National Register of Historic Places
36 CFR 63 Determinations of Eligibility for Inclusion in the National Register of Historic Places
36 CFR 68 Secretary of the Interior's Standards for the Treatment of Historic Properties
36 CFR 79 Curation of Federally-Owned and Administered Archeological Collections
36 CFR 212 Forest Development Transportation System

36 CFR 213 Administration Under Bank-Jones Act
36 CFR 219 Planning
36 CFR 221 Timber Management Planning
36 CFR 223 Sale and Disposal of NFS Timber
36 CFR 228 Minerals

36 CFR 241 Fish and Wildlife
36 CFR 251 Land Uses
36 CFR 254 Landownership Adjustments
36 CFR 261 Protection of Archaeological Resources
36 CFR 290 Caves as referenced in Appendix A

36 CFR 291 Occupancy and Use of Developed Sites and Area of Concentrated Public Use
36 CFR 293 Wilderness Primitive Areas
36 CFR 294 Special Areas

36 CFR 295 Use of Motor Vehicles off Forest Development Roads
36 CFR 296 Archaeological Resources Protection Act Uniform Regulations
36 CFR 297 Wild and Scenic Rivers
36 CFR 800 Advisory Council on Historic Preservation
36 CFR 1222-1238 Federal Records Act Uniform Regulations
40 CFR 121-135 Watershed Programs

40 CFR 1500-1508 Council on Environmental Quality
43 CFR Part 10 Native American Graves Protection and Repatriation Act Uniform Regulations
American Association of State Highway and Transportation Guidelines for Geometric Design
of Very Low-Volume Local Roads, 2001
National Ambient Air Quality Standards
National Electrical Code

National Fire Code
Uniform Building Code
Uniform Mechanical Code
Uniform Plumbing Code

Executive Orders

EO 11593 Protection and Enhancement of the Cultural Environment
EO 11990 Protection of Wetlands
EO 11644/11989 Use of Off-Road Vehicles
EO 11988 Floodplain Management

EO 12088 Federal Compliance with Pollution Control Standards
EO 12898 Environmental Justice

EO 13007 Indian Sacred Sites
EO 13112 Invasive Species
EO 13287 Preserve America

Policy and Guidelines

Forest Service Heritage Strategy
Forest Service Manuals (all)
Forest Service Handbooks (all)
R8/R9 Policy on the Treatment of Human Remains
Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation
Forest Service Heritage Meaningful Measures

State and Local

Indiana State Law IC-14-21 Historic Preservation and Archaeology

Indiana State Law IC-22-1 Human Remains, Burial Objects, and Artifacts

326 Indiana Administrative Code Article 4 4-1-3 Exemptions

Logging and Forestry Best Management Practices for Water Quality in Indiana, 1998

Gray Bat Recovery Plan, U.S. Fish and Wildlife Service, 1982

Fanshell Recovery Plan, U.S. Fish and Wildlife Service, 1991

Indiana Bat Recovery Plan, U.S. Fish and Wildlife Service, 1983

Northern States Bald Eagle Recovery Plan, Northern States Bald Eagle Recovery Team, 1983

Rough Pigtoe Mussel Recovery Plan U.S. Fish and Wildlife Service, 1984